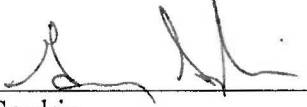


CLEAN AIR ACT

7-127. Applicability Determinations (1200 TN 406)

1. **AUTHORITY.** To issue determinations pertaining to applicability of a source to 40 C.F.R. Parts 60, 61, and 63 and pursuant to the Clean Air Act, including Sections 111(b), 111(d), 111(f), 111(h), 112(d), 112(f), and 112(h).
2. **TO WHOM REDELEGATED.** Director, Air and Radiation Division.
3. **LIMITATIONS.**
 - a. Any official exercising this authority must provide summaries and copies of the applicability determinations on a quarterly basis to the applicability determination index.
 - b. Any official exercising this authority must obtain written prior concurrence from the regional counsel or designee. The RC may waive concurrence in writing.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the branch chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 CFR §§ 60.5 and 61.06.
 - b. See "How to Review and Issue CAA Applicability Determinations and Alternative Monitoring (NSPS and NESHAPS) Manual" and any superseding or related guidance documents.
 - c. This delegation supersedes Delegation 7-15.



Gregory Sopkin
Regional AdministratorDate 11/18/19